

**Colusa Subreach Planning Project Advisory Workgroup
Final Meeting Summary
April 3, 2006 10:00 AM - 2:00 PM
Colusa Industrial Properties
Colusa, CA**

**Summary prepared by Carolyn Penny, Facilitator, Common Ground: Center for
Cooperative Solutions with assistance from Ellen Gentry, Sacramento River
Conservation Area Forum**

***Note: The next AW meeting will be held May 30, 2006 from 10 a.m. to 2 p.m. at
Granzella's Inn in Willows.***

Present:

AW: Burt Bundy, Annalena Bronson, Denny Bungarz, John Garner, Greg Golet (alternate for Dawit Zeleke), Armand Gonzales, Kelly Moroney, Brendan Reed (alternate for Rebecca Fris)

Staff: John Abbott (Common Ground), Ellen Gentry (SRCAF), Facilitator Carolyn Penny (Common Ground), Project Manager Gregg Werner (TNC)

Guests: Ladybug (Maureen) Doherty, Pat Kittle, Joan Phillipe, Jeff Sutton

Agenda:

<u>Agenda Item</u>	<u>Approximate Start Time</u>	<u>Lead Person</u>	<u>Topic</u>	<u>Outcome</u>
1.	10:00	Carolyn Penny, Facilitator	Welcome, Introductions, Agenda Review, March Meeting Summary	<ul style="list-style-type: none"> • Introductions. Approve agenda. Approve March summary.
2.	10:15	Gregg Werner, All AW Members	Updates on Subcommittee work and status of planning and research projects	<ul style="list-style-type: none"> • Gain an update on the Subcommittee efforts, research projects, and next steps.
3.	10:25	Burt Bundy, Gregg Werner, All AW Members	Good Neighbor Policy status, underlying concerns	<ul style="list-style-type: none"> • Understand the status of and concerns underlying the Good Neighbor Policy
4.	11:10	Public	Public Comment	<ul style="list-style-type: none"> • Receive comment.
5.	11:25	Burt Bundy, Gregg Werner, All AW Members	Continued Good Neighbor Policy options to integrate	<ul style="list-style-type: none"> • Explore and agree upon options to integrate GNP issues and concerns into the work of the AW.
6.	12:05		Lunch and Break	
	12:35	Gregg Werner, Recreation Subgroup	Process Plan for the Recreation Planning Project	<ul style="list-style-type: none"> • Consider updated scope of work and schedule and provide input

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7.	1:05	Public	Public Comment	<ul style="list-style-type: none">• Receive comment.
8.	1:15	Greg Golet, All AW Members	Review and discussion of information on Restoration/Wildlife interaction regarding food sources and displacement	<ul style="list-style-type: none">• Gain further understanding of the restoration/wildlife interaction and discuss implications for restoration planning.
9.	1:35	Public	Public Comment	<ul style="list-style-type: none">• Receive comment.
10.	1:45	Carolyn Penny, All AW Members	Next Agenda and Next Steps	<ul style="list-style-type: none">• Shape next agenda; articulate next steps

Review of March Meeting Summary

The March meeting summary was accepted as written.

Subcommittee Updates

Gregg Werner gave an update on the planning for the eight proposed restoration sites. The AW studies have been combined into four contracts.

The Hydraulic Modeling Analysis contract has been let with Ayres Associates, and work has started on the thalweg comparison. The Large Woody Debris (LWD) analysis has been held off because of current water levels. The LIDAR flight occurred and that information is expected to be delivered to Ayres Associates by mid-April.

The Recreation Planning contract has been let with EDAW. The Recreation Planning Subcommittee met in late March. The process plan for that work is part of today's agenda. It was determined that a third public input meeting was needed, which is tentatively set for the end of April or beginning of May.

The Fiscal and Economic contract has been let with Economic Planning Systems (EPS). A process plan for that study is expected to be part of the AW May agenda.

April 17 is the kick off meeting for the draft study design of the Pest and Regulatory Species (EDAW) study. The process plan is expected to be part of the AW May agenda. Between now and May, Gregg will be talking with representatives from Glenn and Colusa counties and farmers regarding the draft scope of work.

Good Neighbor Policy

Burt Bundy gave a brief history on the Good Neighbor Policy (GNP). The Landowner Assurances Committee, chaired by Ben Carter, worked to develop the initial policy, completing Sections 1 and 2 with SRCAF Board approval. These sections were adopted in 2003 and established the review process used at the Technical Advisory Committee and Board level, identifying proposals and requirements proponents have to put in place to look at expected impacts and to improve projects. Projects then go before the Board to determine if they meet the guidelines and principles of the Handbook. The Board also moved forward on the request for a CALFED Working Landscapes grant to continue the Project

Review process, develop a program to provide landowner incentives for conservation activities, develop a Programmatic Safe Harbor Agreement, and coordinate consultation of a Section 7 Permit.

Burt gave a PowerPoint presentation which included information on: Landowner Issues, Social Issues, Management Conflicts, ESA Impacts and Benefits to Landowners participating in a Programmatic Safe Harbor. The GNP promotes Communication and Review, Incidental Take Protection, “Self Mitigating Area”, Conflict Resolution, and a “Good Neighbor Fund” Task Force. Comments on the GNP are being taken until April 21.

John Garner asked whether SRCAF has authority as a non-profit to serve as a lead agency for a Section 7 consultation under the Endangered Species Act or to sign a GNP agreement with agencies. Burt noted SRCAF does not have authority to enter into a Section 7 agreement, but can be a party along with agencies in the development process. The actual agreement has to be between agency entities (i.e., DWR, COE, DF&G, etc.). John added the GNP is a policy for SRCAF, and Burt indicated that the Memorandum of Agreement signatories have already agreed to cooperate and work together. The adoption of policy cannot violate their laws and must fit within the Handbook principles and guidelines. John asked about any discussion to change the legislation that developed the SRCAF to give it more authority over a project if the project violates the GNP. Burt reported that initial discussions to form the SRCAF identified non-profit status as most acceptable; however, there are situations when more legal standing would be helpful. He noted that the Programmatic Safe Harbor agreement is one the SRCAF can sign and administer to provide insulation between agencies and landowners, and to develop information and establish baselines. John stated that the landowners feel helpless in regard to the GNP issues.

Denny Bungarz added that initially landowners were negotiating individually with agencies and not getting far. SRCAF was able to put landowners around the same table with people of authority and are now finding more common ground in discussing issues. He noted this was a big step for landowners.

Brendan Reed asked about the timeframe if funding for the Safe Harbor is received. Burt thought it would take 1 ½ years to get it in place. He noted that the GNP addresses landowner issues, benefits and concerns more than the Handbook. The Handbook is a plan for the river ecosystem.

Public Comment

Ladybug Doherty questioned putting projects first before the development of policy. She noted there was only one landowner at this meeting, and that it was “business as usual”. She asked for an explanation on the “breather” that the Colusa County Resolution requested.

Burt stated that the Handbook is clear that projects should not have impacts on local economies or landowners. The 2003 Board Policy adoption addresses potential impacts of proposals. Burt noted the Project Review, tracking and follow up process has made a huge difference. He pointed out that the Colusa County Resolution made it clear it didn’t want the SRCAF funded--it was not a “time out”.

Jeff Sutton commented that the Colusa County Resolution clearly sets forth that it requests no further restoration until such time as a GNP that addresses negative impacts is adopted and

implemented, and added that Ben Carter specifically clarified that point at the last SRCAF Board meeting.

Denny reported the SRCAF Board of Directors voted to take no action on the Colusa resolution and directed the staff to move forward. Tehama County and Shasta County had passed resolutions supporting SRCAF. Brendon Flynn is chairing the Good Neighbor Policy committee to address landowner concerns.

Kelly Moroney reported the Sacramento River Refuge comprehensive conservation recreation management plan includes a process for working with neighbors, and that process is working well. USFWS is being proactive and finds it is working successfully. A programmatic section 7, as part of maintenance, helps the levee district to do their job. By being a participant of SRCAF, USFWS is aware of the issues.

Jeff commented he is disappointed to see the GNP taken in-house and that providing written comments is not an adequate process for providing input and feeling ownership. The GNP has made improvement in some areas, but implementation is still a concern. Landowners need mitigation and laws to protect them, but the SRCAF does not have that authority. Jeff stated that the goal of the GNP is to make the landowner whole instead of burdening the individual to pursue societal goals.

Good Neighbor Policy, Options to Integrate

Kelly noted that concerns of this group are being addressed with analyses and specifically developing recreation plans by looking at a list of issues (see GNP Addendum A).

John added that this project is about planning, incorporating the best so that issues are addressed. SRCAF is non-profit, but by incorporating SRCAF into this process, discussion has been great and concerns are heard (i.e., USFWS). In response to an earlier comment Burt added that he is also a farmer within the conservation area.

Armand Gonzales noted that DF&G is committed not to pursue restoration in the area until this planning process is done. He added that DF&G is committed to working with adjacent landowners. Denny stated that Ryan Broddrick, F&G Director, is supportive of the process and understands landowner issues. Burt commented that there is also improvement in coordinating with law enforcement on a county level (i.e., BLM at the upper end of the Sacramento River).

Brendan suggested that, as a practical approach, the AW could commit to an examination of GNP Addendum A for each restoration plan to check whether those concerns are addressed to the extent possible. Denny noted that check-in with Addendum A would be useful before the restoration plans go before the SRCAF Board. Armand noted that restoration plans go to the Forum for review and that CSP should be consistent with a policy that may be adopted. John stated that proactive conversations with landowners and consistency with the GNP should be part of any planning process.

Burt noted that when the CSP process began, some issues on the Addendum A list were addressed in the planning process and are already incorporated in the review process under GNP 1 & 2. There is separation between CSP and any project that will involve restoration which will go through the review

process required by SRCAF. CSP is a planning process. There is no funding in this process to do restoration projects. Gregg noted that once CSP is completed, there may be actual proposals that would go to funding, then to SRCAF for review.

The AW members reached an understanding about the incorporation of the GNP in its work:

- The CSP is a planning process.
- The AW will incorporate aspects of the GNP in its planning process including conversations with landowners and checking conceptual plans to see if Addendum A concerns are addressed.
- If and when restoration planning moves to a project level, that proposed project will need to comply with the SRCAF process, including the GNP.

Process Plan for the Recreation Planning Project

Gregg detailed the work plan prepared by EDAW relating to two aspects of recreation planning: (1) developing a plan to improve access to public properties in the Subreach and (2) developing a master plan for the Colusa state recreation area. The recreation subgroup met with the EDAW team March 16 and 17 and reviewed the work plan. Sites have been reviewed in the field with EDAW as well. The Colusa Subreach Recreation Plan handout Gregg distributed noted changes in bold regarding the expansion of three public input and plan review meetings, some to be held concurrently for cost efficiency. The first public meeting was scheduled for April 24, but as of these notes has been rescheduled for May 11. The second public meeting is scheduled for June 27, and the third public meeting is set for October 9.

Burt also recommended that city of Colusa fill out Project Tracker regarding the boat ramp project. Joan Phillipe responded that she will pass on that information.

Public Comment

Jeff stated that public participation is a challenge for farmers in May, September, and October. He requested expediting answers to questions regarding possible uses for the Ward property. Gregg explained that information can be provided when the planning process is further along. Jeff recommended keeping restrictions on the use of funds in mind so that the public's wish list does not get disappointed. Gregg stated it would be helpful to know what the public wants funded and then see what restrictions apply. Kelly added that USFWS takes the route Gregg suggested; public scoping lets the agency know about the compatibility of desired uses.

Ladybug asked for the reasoning for consulting with tribes regarding cultural resources if the state recreation area was at one time a dump. Gregg responded that part of the property was not a former dump and that an assessment of cultural resources could expedite environmental review.

Restoration/Wildlife Interaction

Greg Golet reviewed handouts on Restoration/Wildlife interaction regarding food sources and displacement, previously requested by Pat Kittle. He discussed the four basic needs for wildlife: food, water, cover and space which vary by species, season, age, etc. He added that species respond quickly after restoration. On-site restoration activity is short-lived with no great impact to species during that phase.

Burt Bundy disagreed, noting that species move out as a result of restoration which can result in a change of species. Armand added that temporary displacement can be a disturbance to neighboring agricultural areas. Burt stated if displaced species move onto agricultural land they need to be addressed. John recommended addressing displacement before starting a project and suggested the process can be more animal-friendly and neighbor-friendly. Burt stated that the impact of displacement needs to be addressed whether or not the species is a pest species. Greg Golet responded that it's easiest to talk about specific situations and reminded the AW that remainder orchards can lead to pest outbreaks.

Public Comment

Jeff noted that management guidelines require ongoing management of restoration sites because there can be unintended consequences for listed species. He recommended that restoration plans include ongoing management and funds to mitigate impacts. With such an approach, there could be a win/win relationship with surrounding landowners.

Armand stated that the AW would want any restoration plan to examine baseline population, displacement, population impacts from restoration, and methods to minimize wildlife impact on neighboring landowners during and after restoration.

Greg offered to share six studies and comparisons he has regarding agriculture, young sites, and old sites regarding diversity changes, abundance changes, indicators of biodiversity, etc. Armand made a request to see those studies. Greg added that issues of impact on neighboring landowners could be explored with the pest and regulatory effects EDAW studies because the issues fit in with the overall scope of the project.

Next Meeting and Interim Steps

Input on the GNP needs to be to Burt by April 21.

Agenda topics for the next AW meeting will include baseline analyses of the remaining properties, and reviews of the study plans for fiscal and economic impacts and pest and regulatory impacts. The next meeting will be May 30, 2006, from 10:00AM to 2:00PM, at Granzella's Inn in Williams.